



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: McCarthy, J.  
Serial Number: 09/539,394  
Filed: 03/13/00

Examiner: Avery, B.  
Group Art Unit: 3618

#4/A  
11/21/02  
YW

For: METHOD AND APPARATUS FOR CONTROLLING THE SPEED OF AN ENGINE  
WITHIN A HYBRID ELECTRIC VEHICLE

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION  
ACCOMPANYING CONTINUED PROSECUTION APPLICATION**

Applicants respond to the Final Office Action mailed on 05/06/02 (hereinafter referred to as the "Office Action") by filing the attached Continued Prosecution Application and with the following preliminary amendment:

**In the Claims:**

Please amend claims 1, 8, and 14 of the above-referenced patent application as follows:

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✓  
**Claim 1 (amended, "clean version")**

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A hybrid electric vehicle drive system comprising:  
an engine having an output shaft which rotates at a first speed;  
a generator which is operatively coupled to said engine which selectively produces a reaction torque, effective to control said first speed; and  
a clutch assembly which is coupled to said generator, wherein said clutch assembly is selectively engaged to provide a braking torque to said generator and which is effective to